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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

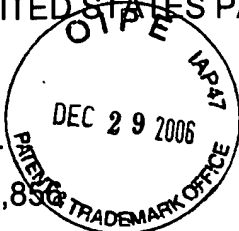
In re the Application of:

Tsutomu OGAWA et al.

Serial Number: 10/574,856

Filed: April 6, 2006

For: VEHICLE SUBFRAME AND BUSH MOUNTING STRUCTURE



Attorney Docket Number: 107355-00150

Confirmation Number: 5537

Group Art Unit: 3616

**SUBMISSION OF INTERNATIONAL PRELIMINARY EXAMINATION
REPORT TRANSLATION**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450


Date: December 29, 2006

Sir:

Submitted herewith is the Notification of Transmittal of Copies of Translation of the International Preliminary Examination Report (Form PCT/IB/338), International Preliminary Report on Patentability (Form PCT/IB/373) and the Written Opinion of the International Searching Authority (Form PCT/ISA/237) which were issued in International Application Number PCT/JP2005/006565. It is respectfully requested that these papers be made of record in the Patent and Trademark Office file for the subjection application.

In the event that any fees are due with respect to this paper, please charge Deposit Account Number 01-2300, referencing Attorney Docket Number 107355-00150.

Respectfully submitted,


Charles M. Marmelstein
Registration Number 25,895
27931

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Enclosures: Notification of Transmittal of Copies of Translation of the International Preliminary Examination Report (PCT/IB/338)
International Preliminary Report on Patentability (Form PCT/IB/373)
Written Opinion of the International Searching Authority (Form PCT/ISA/237)

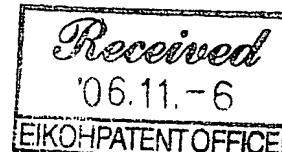
From the INTERNATIONAL BUREAU

PCT

NOTIFICATION OF TRANSMITTAL
OF COPIES OF TRANSLATION
OF THE INTERNATIONAL PRELIMINARY REPORT
ON PATENTABILITY
(CHAPTER I OR CHAPTER II
OF THE PATENT COOPERATION TREATY)
(PCT Rules 44bis.3(c) and 72.2)

To:

OGURI, Shohei
Eikoh Patent Office
7-13, Nishi-Shimbashi 1-chome
Minato-ku, Tokyo 1050003
JAPON



Date of mailing (day/month/year) 26 October 2006 (26.10.2006)	
Applicant's or agent's file reference P05171300	IMPORTANT NOTIFICATION
International application No. PCT/JP2005/006565	International filing date (day/month/year) 29 March 2005 (29.03.2005)
Applicant HONDA MOTOR CO., LTD. et al	

1. Transmittal of the translation to the applicant.



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter I).



The International Bureau transmits herewith a copy of the English translation of the international preliminary report on patentability (Chapter II).

2. Transmittal of the copy of the translation to the designated or elected Offices.

The International Bureau notifies the applicant that copies of that translation have been transmitted to the following designated or elected Offices requiring such translation:

None

The following designated or elected Offices, having waived the requirement for such a transmittal at this time, will receive copies of that translation from the International Bureau only upon their request:

AE, AG, AL, AM, AP, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EA, EC, EE, EG, EP, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OA, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SM, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW

3. Reminder regarding translation into (one of) the official language(s) of the elected Office(s).

The applicant is reminded that, where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary report on patentability (Chapter II).

It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned within the applicable time limit (Rule 74.1). See Volume II of the PCT Applicant's Guide for further details.

The International Bureau of WIPO
34, chemin des Colombettes
1211 Geneva 20, Switzerland

Authorized officer

Masashi Honda

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PATENT COÖPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference P05171300	FOR FURTHER ACTION	See item 4 below
International application No. PCT/JP2005/006565	International filing date (<i>day/month/year</i>) 29 March 2005 (29.03.2005)	Priority date (<i>day/month/year</i>) 31 March 2004 (31.03.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant HONDA MOTOR CO., LTD.		

1. This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 *bis*.1(a).

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.

3. This report contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|---|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the report |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44*bis*.3(c) and 93*bis*.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44*bis*.2).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	Date of issuance of this report 19 October 2006 (19.10.2006) Authorized officer <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Masashi Honda</div> e-mail: pt08@wipo.int
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PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

TRANSLATION

PCT

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

To:

Date of mailing
(day/month/year)

Applicant's or agent's file reference

P05171300

FOR FURTHER ACTION

See paragraph 2 below

International application No.

PCT/JP2005/006565

International filing date (day/month/year)

29.03.2005

Priority date (day/month/year)

31.03.2004

International Patent Classification (IPC) or both national classification and IPC

Applicant

HONDA MOTOR CO., LTD.

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. **FURTHER ACTION**

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/JP

Authorized officer

Facsimile No.

Telephone No.

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/006565

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.

☐

This opinion has been established on the basis of a translation from the original language into the following language

_____, which is the language of a translation furnished for the purposes of international search (under Rule 12.3 and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

☐

a sequence listing

☐

table(s) related to the sequence listing

b. format of material

☐

in written format

☐

in computer readable form

c. time of filing/furnishing

☐

contained in the international application as filed.

☐

filed together with the international application in computer readable form.

☐

furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/JP2005/006565

Box No. IV

Lack of unity of invention

1. ☐ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has:
- ☐ paid additional fees
 - ☐ paid additional fees under protest
 - ☐ not paid additional fees
2. ☒ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rules 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:

The invention described in claim 1 and the inventions described in claims 2 and 3 citing claim 1 relate to a subframe for a vehicle, where the special technical feature of the subframe is a tubular lateral member and a recess continuously dented across in the longitudinal direction of the lateral member.

The invention described in claim 4 and the inventions described in claims 5 and 6 citing claim 4 relate to a bush installation structure in which an elastic bush is installed on a frame by using a bracket, where the special technical feature of the bush installation structure is a bracket having bracket plate sections and fold back sections folded back from the bracket plate sections.

4. Consequently, this opinion has been established in respect of the following parts of the international application:

- ☒ all parts
- ☐ the parts relating to claims Nos. _____

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/JP2005/006565

Box No. V	Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement																										
<p>1. Statement</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 30%; vertical-align: top;">Novelty (N)</td> <td style="width: 10%; vertical-align: top;">Claims</td> <td style="width: 50%; border-bottom: 1px solid black;">1 - 6</td> <td style="width: 10%; text-align: right; vertical-align: bottom;">YES</td> </tr> <tr> <td></td> <td style="vertical-align: top;">Claims</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right; vertical-align: bottom;">NO</td> </tr> <tr> <td style="vertical-align: top;">Inventive step (IS)</td> <td style="vertical-align: top;">Claims</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right; vertical-align: bottom;">YES</td> </tr> <tr> <td></td> <td style="vertical-align: top;">Claims</td> <td style="border-bottom: 1px solid black;">1 - 6</td> <td style="text-align: right; vertical-align: bottom;">NO</td> </tr> <tr> <td style="vertical-align: top;">Industrial applicability (IA)</td> <td style="vertical-align: top;">Claims</td> <td style="border-bottom: 1px solid black;">1 - 6</td> <td style="text-align: right; vertical-align: bottom;">YES</td> </tr> <tr> <td></td> <td style="vertical-align: top;">Claims</td> <td style="border-bottom: 1px solid black;"></td> <td style="text-align: right; vertical-align: bottom;">NO</td> </tr> </table>				Novelty (N)	Claims	1 - 6	YES		Claims		NO	Inventive step (IS)	Claims		YES		Claims	1 - 6	NO	Industrial applicability (IA)	Claims	1 - 6	YES		Claims		NO
Novelty (N)	Claims	1 - 6	YES																								
	Claims		NO																								
Inventive step (IS)	Claims		YES																								
	Claims	1 - 6	NO																								
Industrial applicability (IA)	Claims	1 - 6	YES																								
	Claims		NO																								
<p>2. Citations and explanations:</p> <p>Document 1: JP 2002-337721 A (Fujitsu, Ltd.), 27 November 2002, Paragraphs 0025-0029; Fig. 1</p> <p>Document 2: JP 8-67269 A (Suzuki Motor Corp.), 12 March 1996, Full text; all drawings</p> <p>Document 3: JP 2002-87291 A (Hyundai Motor Co.), 27 March 2002, Full text; Fig. 2</p> <p>The inventions of claims 1-3 do not appear to involve an inventive step based on document 1 and document 2 cited in the ISR. Document 1, Fig. 2 and the related paragraphs 0025-0029 describe a subframe for a vehicle having a bracket below a tubular lateral member (front cross-member 2F). Document 2 describes a lateral member provided with a recess continuously dented across in the longitudinal direction in which a shock absorption member can catch. This examination finds that making the bracket in document 1 according to the recess of document 2 is not particularly difficult.</p> <p>The inventions of claims 4 and 6 do not appear to involve an inventive step based on document 1 and document 2 cited in the ISR. Document 1 describes a bush installation structure wherein an elastic bush (illustration not provided) is installed on a frame by using a bracket. This examination finds that making the bracket in document 1 from the bracket plate section and a fold-back section folded back from the bracket plate section described in document 2 is not particularly difficult.</p> <p>The invention of claim 5 does not appear to involve an inventive step based on documents 1 and 2 as well as document 3 cited in the ISR. Document 3 describes that a set space section exists between a bracket plate section and a fold-back section.</p>																											